

REMARKS

In response to the Office Action mailed June 17, 2009, Applicants respectfully request reconsideration based on the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-3, 7-9, 12-14, 18-21, 24, 26 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sinex in view of Ferriter and Slate.

Claim 1 recites two options related to items in a to-do list. The first option is an exception option including a menu of exception categories denoting events that divert the first technician away from working on the item for a period of time. The other option is a jeopardy option associated with a jeopardy identifier indicating that a problem has been encountered preventing the item from being worked on, the jeopardy identifier including a jeopardy code describing the type of problem. The exception option can cause initiation of the jeopardy option as described in paragraph [0029].

Claim 1 recites, *inter alia*, “wherein after an item on the to-do list is selected, an exception option displayed on the first display monitor is selected with the first input device, the activities-recording computer stores an exception start time indication in the first memory device, the exception option including a menu of exception categories denoting events that divert the first technician away from working on the item for a period of time, the technician selecting one of the exception categories; **wherein after an item on the to-do list is selected and the exception presents problems that cannot be solved that current workday, a jeopardy option is selected**, the activities-recording computer stores a jeopardy identifier in the first memory device, the jeopardy identifier indicating that a problem has been encountered preventing the item from being worked on, the jeopardy identifier including a jeopardy code describing the type of problem (emphasis added).”

In the Examiner’s response to Applicant’s arguments, the Examiner states that Sinex teaches both the exception option and the jeopardy option. The Examiner cites to column 9, lines 23-24 as teaching the exception option. The Examiner cites to column 13, lines 23-24 as teaching the jeopardy option.

Column 9, lines 23-24 of Sinex do teach a procedure for when a task is not completed by a first mechanic. The first mechanic creates passdown notes for the next

mechanic. These passdown notes, however, lack several aspects of the exception option in claim 1. There is no teaching in Sinex that the passdown notes include an “option including a menu of exception categories denoting events that divert the first technician away from working on the item for a period of time” as recited in claim 1. With respect to the jeopardy option, the Examiner cites to column 13, lines 23-24 of Sinex. This section of Sinex relates to delaying a task and providing a reason for the delay. Even if this delay option in Sinex can be considered a jeopardy option, there is no teaching of “wherein after an item on the to-do list is selected and the exception presents problems that cannot be solved that current workday, a jeopardy option is selected.” There is no interrelation of the passdown notes and the delay option in Sinex. In claim 1, the to do list, the exception option and the jeopardy option are interrelated such that the to do list identifies items for the current workday, the exception option indicates why a technician is diverted from an item and the jeopardy option indicates that the item is not being completed in the current workday. This interrelation simply does not exist in Sinex. Ferriter was relied upon for allegedly teaching an exception start time. Slate was relied upon for allegedly teaching a menu of exception categories. Neither Ferriter nor Slate cures the deficiencies of Sinex. Thus, even if Sinex, Ferriter and Slate are combined, the elements of claim 1 do not result.

For at least the above reasons, claim 1 is patentable over Sinex in view of Ferriter and Slate. Claims 2, 3 and 7-9 variously depend from claim 1 and are patentable over Sinex in view of Ferriter and Slate for at least the reasons advanced with reference to claim 1.

Claim 12 recites “in the activities-recording computer, receiving an indication that an exception option displayed on the first display monitor has been selected; and with the activities-recording computer, when the indication of the exception option selection is received, storing an exception start time indication in the memory device, the exception option including a menu of exception categories denoting events that divert the first technician away from working on the item for a period of time, the technician selecting one of the exception categories; in the activities-recording computer, when the exception presents problems that cannot be solved that current workday, receiving an indication that a jeopardy option displayed on the first display monitor has been selected; and with the activities-recording computer, when the indication of the jeopardy selection option is received, storing a jeopardy identifier in the memory device, the jeopardy identifier indicating that a problem has been

encountered preventing the item from being worked on, the jeopardy identifier including a jeopardy code describing the type of problem .” As discussed above, the combination of Sinex in view of Ferriter and Slate fails to teach these features. Claims 13, 14 and 18-21 depend from claim 12 and are considered patentable for at least the same reasons.

Claim 24 recites “wherein after the selection of the item on the to-do list is made, an exception option displayed on the first display monitor is selected with the first input device, the third code segment causes an exception start time indication to be stored in the first memory device, the exception option including a menu of exception categories denoting events that divert the first technician away from working on the item for a period of time, the technician selecting one of the exception categories; wherein after the selection of the item on the to-do list is made and the exception presents problems that cannot be solved that current workday, a jeopardy option is selected with the first input device, the third code segment causes a jeopardy identifier to be stored in the first memory device, the jeopardy identifier indicating that a problem has been encountered preventing the item from being worked on, the jeopardy identifier including a jeopardy code describing the type of problem.” As discussed above, the combination of Sinex in view of Ferriter and Slate fails to teach these features. Claims 26-27 depend from claim 24 and are considered patentable for at least the same reasons.

Claims 4-6 and 15-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sinex in view of Ferriter, Slate and Official Notice. This rejection is traversed for the following reasons. Official Notice was relied upon for TCP/IP packet transmission but fails to cure the deficiencies of Sinex in view of Ferriter and Slate discussed above with reference to claims 1 and 12. Thus, claims 4-6 and 15-17 are patentable over Sinex in view of Ferriter, Slate and Official Notice.

In view of the foregoing, Applicants submit that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

By: 

David A. Fox
Registration No. 38,807
CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford, CT 06103-3207
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No. 36192

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